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December 7, 2009

**Via ECF**

The Honorable Michael A Shipp, U.S.M.J.  
Frank R. Lautenberg U.S. Post Office & Courthouse  
PO Box 999  
Newark, New Jersey 07101-0999

**Re: Pontani, et al. v. Amerihealth Insurance Company of New Jersey, et al.  
Civil Action No. 2:08-cv-04580 (FSH) (MAS)**

Dear Judge Shipp:

The undersigned represents Plaintiffs, Peter and Louise Pontani, in the above-referenced matter. We submit this status letter as a joint submission on behalf of counsel for all parties pursuant to Your Honor's October 15, 2009 Case Management Order, in anticipation of the December 11, 2009 telephonic Case Management Conference scheduled for 2p.m. in that Order.

Counsel for Plaintiffs and Defendants "Magellan", which includes Magellan Health Services, Inc., Green Spring Health Services, Inc. d/b/a Magellan Behavioral Health and Magellan Behavioral Health of New Jersey LLC and "AmeriHealth", which includes AmeriHealth Insurance Company of New Jersey and AmeriHealth HMO, Inc. have been working cooperatively and have complied with all the upcoming deadlines in the Case Management Order. We have submitted the Proposed Confidentiality Order to the Court. All parties have exchanged Rule 26 initial disclosures, served interrogatories and initial requests to produce documents. Responses to these discovery requests are not yet due. Plaintiffs have provided defendants with signed medical authorizations. Plaintiffs anticipate serving a Rule 30(b)(6) deposition notice within the next week.

At present, there are only two issues which the parties seek to bring to the Court's attention at the upcoming conference. First, plaintiffs request to extend the December 14, 2009 deadline to amend the pleadings for a period of 60 days. The Magellan Defendants do not object to plaintiffs' request to extend the deadline for amending their pleadings. The AmeriHealth defendants do not oppose plaintiffs' request to the extent that plaintiffs' amendments in the 60-day extension period do not seek to add new parties. Plaintiffs do not agree to this limitation. Second, with respect to discovery, plaintiffs and Magellan request a 60-day extension of the December 14 deadline for responding to discovery. AmeriHealth does not believe a 60-day

extension of the December 14 deadline is necessary. AmeriHealth believes a much shorter extension -- 2 or 3 weeks at maximum--is needed in order to serve its responses to plaintiffs' written discovery.

We look forward to speaking with you next week.

Respectfully submitted,

*/s Randee M. Matloff*  
RANDEE M. MATLOFF

cc: Thomas Quinn, Esq. (Via ECF)  
Christopher Flynn, Esq. (Via ECF)  
James L. Griffith, Esq. (Via ECF)